

// A regular meeting of the Council of the City of Lynchburg was held on the 12th day of July, 2005, at 7:30 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Gillette gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the June 23, 28 (two meetings) and 30, 2005 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of City Council, Resolution #R-05-079 amending the FY 2006 General Fund Budget and appropriating \$100,000, with resources from the unexpended balance of the FY 2005 General Fund Reserve for Contingencies, to facilitate the establishment of a Community Action Network as part of the Healthy Neighborhoods Initiative, laid over from the June 28, 2005 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Budget, Resolution #R-05-080 amending the FY 2006 General Fund Budget and appropriating \$500,000, with resources of \$500,000 from the unexpended balance of the FY 2005 General Fund Reserve for Contingencies, to be used for FY 2006 compensation adjustments and to establish a Compensation Reserve, laid over from the June 28, 2005 meeting, was again presented and read, and on motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Police - General, City Council Report #4 was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-083, as presented, amending the FY 2006 City/Federal/State Aid Fund Budget and appropriating \$3,000, fully reimbursable, to provide overtime to effectively carry out selective enforcement activities and investigations:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire – General/Emergency Communications, City Council Report #4A was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-084, as presented, amending the FY 2006 General Fund Operating Budget and appropriating \$129,969, with resources of \$129,969, to replace 90 portable radios for public safety use:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Public Works – Wastewater Treatment Plant, City Council Report #4B was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-085, as presented, amending the FY 2006 Sewer Capital Projects Fund and appropriating \$273,600, fully reimbursable, for preparation of a Basis of Design Report and Interim Optimization Plan for Nutrient Removal for the Wastewater Treatment Plant:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Housing Authority, a public hearing was held regarding City Council Report #5 regarding a request from the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 1402 Fillmore Street under Section 36-19.5 of the Code of Virginia. Ms. Connie Snavelly provided a brief overview of the request and asked for Council approval. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted #R-05-086, as presented, approving the request of the Lynchburg Redevelopment and Housing Authority for authorization to pursue acquisition of blighted property at 1402 Fillmore Street under Section 36-19.5 of the Code of Virginia:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #6 outlining the petition of Lynchburg College for a Conditional Use Permit to amend the Master Development Plan to allow college supervised student housing at 214 Bell Street, 404, 428 Lakewood Street and 185, 307 Vernon Street in an R-2, Low-Medium Density Single-Family Residential District. City Planner Tom Martin provided a brief summary of the request. Mr. John Lewis, Lynchburg College Business Manager, outlined the request and asked for approval. There was no one else present who wished to speak to this item, and the public hearing was closed.  
On

motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-05-087, as presented, granting the Conditional Use Permit:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Community Planning - Zoning Amendments, a public hearing was held regarding City Council Report #7 outlining the petition of Gantt Investment Corporation to rezone approximately 4.5 acres from R-1, Low Density Single-Family Residential District to R-3, Medium Density Two-Family Residential District and for a Conditional Use Permit for property fronting Ivy Creek Lane also know as Valuation Map Number 218-11-003 to allow the construction of a 22 unit town home complex. City Planner Tom Martin provided a brief summary of the request and stated that a proffer that was submitted by the petitioner and which was approved by the Planning Commission regarding the donation of property to the City for use as a buffer zone was inadvertently left out of the proposed ordinance. Mr. Joe Gantt outlined the request and asked for approval. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Vice Mayor Foster, Council by the following recorded vote adopted Ordinance #0-05-088, as amended to incorporate condition #8 to reflect the donation of property to the City for use as a buffer zone, and adopted Resolution #R-05-089, as presented, granting the petition and Conditional Use Permit:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Property, a public hearing was held regarding City Council Report #8 regarding the conveyance of 0.7460 acre of City-owned property at 4931 Boonsboro Road to Alexis V. Richards. City Manager Kimball Payne provided a brief summary of the request. Mr. Alexis Richards outlined the request and asked for approval. There was no one else present who wished to speak to this item, and the public hearing was closed. In response to Council questioning, Mr. Richards stated that he has agreed to remove and dispose of the water tower at an estimated cost of \$40,000. On motion of Vice Mayor Foster, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-05-090, as presented, conveying 0.7460 acre of City-owned property at 4931 Boonsboro Road to Alexis V. Richards:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of City Code/Commissioner of the Revenue, a public hearing was held regarding City Council Report #9 regarding the adoption of an ordinance amending the City Code for

proposed changes to the vehicle license fee process and billing periods for personal property, business personal property and machinery and tool taxes. City Manager Kimball Payne along with Assistant Director of Financial Services Donna Witt and Commissioner of the Revenue Mitch Nuckles provided a summary of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. Several Council Members requested that the City provide plenty of notice to the citizens and businesses regarding these changes prior to the January 1, 2006, implementation date. On motion of Vice Mayor Foster, seconded by Council Member Gillette, Council by the following recorded vote adopted Ordinance #O-05-091, as presented, amending the City Code for proposed changes to the vehicle license fee process and billing periods for personal property, business personal property and machinery and tool taxes:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// In the matter of Community Planning – Historic Districts, City Council Report #10 regarding designating all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street as a local Historic District (HD) area to be known as the Pierce Street Renaissance Historic District was considered. Council Members Johnson and Helgeson stated that they would not support the request since it was not initiated by the Pierce Street residents and because of the opposition expressed to each of them when they visited with residents of the neighborhood. Council Member Gillette expressed concern that there was not a two-thirds majority of the property owners in support of the request. Other Council Members spoke in support of the request citing the historical importance of the area, that many of the leading figures of the Harlem Renaissance visited the area, and that a majority of the property owners were in favor of the historic designation. Following discussion, and on motion of Council Member Dodson, seconded by Vice Mayor Foster, Council by the following recorded vote adopted Ordinance #O-05-092, as presented, establishing a local Historic Zoning District area to be known as the Pierce Street Renaissance Historic District:

Ayes: Dodson, Foster, Seiffert, Hutcherson

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Noes: Gillette, Helgeson, Johnson

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// In the matter of City Code, City Council Report #11 was considered. On motion of Council Member Helgeson, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #O-05-093, as presented, amending the City Code regarding operations at the City Cemetery:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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July 12, 2005

// In the matter of Public Works – General, City Council Report #12 was considered. On motion of Council Member Seiffert, seconded by Vice Mayor Foster, Council by the following recorded vote adopted Resolution #R-05-094, as presented, supporting an application for an allocation of \$1,000,000 through the Virginia Department of Transportation (VDOT) Revenue Sharing Program:

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Seiffert, Hutcherson

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Noes:

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// The meeting was recessed at 8:54 P.M. to July 19, at 7:00 P.M., to receive the Mid-Town Plan presentation.

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Clerk of Council